IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43780 of 2008
MANOJ KUMAR, Son of Kishore Prasad,
Daldaliganj, Police Station Mehendiganj,
District- Patna :-----Petitioner.
Versus
STATE OF BIHAR:----Opposite Party

For the Petitioner :Mr. Partha Sarthi, Advocate.
For the Opposite Party : Mr. Nitya Nand Tiwari, A.P.P.
=====

2. 24.11.2008. Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Sections 399, 402 and 414 of the Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act and is named in the First Information Report along with seven others. It is submitted on his behalf that the arms were recovered from accused no.3, Santosh Kumar when petitioner and others named in the First Information Report are said to have been preparing themselves for dacoity. It is also submitted on his behalf that no stolen article was recovered from any of the persons named in the First Information Report, as such, very insertion of Section 414 of the Penal Code appears to be misconceived. It is also submitted on behalf of the petitioner that besides the present case he is not accused in any other case.

WEB COPY NOT OFFICIAL

Let the aforesaid three submissions made on behalf of the petitioner be verified by the court below and if found correct then the petitioner, namely, Manoj Kumar be released on bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S.Case No. 46 of 2008.

(V.N.Sinha,J.)

P.K.P.